

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/DE2004/002057

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

|                               |        |               |     |
|-------------------------------|--------|---------------|-----|
| Novelty (N)                   | Claims | 4,6,12        | YES |
|                               | Claims | 1-3,5,7-11,13 | NO  |
| Inventive step (IS)           | Claims | 4,6,12        | YES |
|                               | Claims | 1-3,5,7-11,13 | NO  |
| Industrial applicability (IA) | Claims | 1-15          | YES |
|                               | Claims |               | NO  |

2. Citations and explanations:

see appended sheet

Re Point V

Reasoned statement with regard to novelty, inventive step, and industrial applicability; citations and explanations supporting this statement

1. Reference is made to the following documents:

D1: US-A-2003/050741  
D2: US-A-4 480 714  
D3: EP-A-1 319 535

2. The present application does not satisfy the requirements of Article 33(1) PCT, because the subject matter of **Claims 1 and 9** is not novel within the meaning of Article 33(2) PCT.

2.1. Document D1 discloses (the references in parentheses relate to this document):

A method for rollover stabilization of a vehicle in critical driving situations, in which a rollover stabilization algorithm intervenes in the driving operation in a critical situation, using an actuator, in order to stabilize the vehicle,

the vehicle mass being ascertained, and the rollover stabilization algorithm being carried out as a function of the vehicle mass (Abstract, paragraphs 17-19). Document D1 also describes all the features of Claim 9.

2.2. Document D2 also describes all features of Claims 1 and 9.

Document D3 describes (cf. paragraphs 14, 17, 19) a method for rollover stabilization of a vehicle, from which the subject matter of Claim 1 differs in that the rollover stabilization algorithm intervenes in the driving operation in critical situations, using an actuator.

However, it is known to one skilled in the art that, in a drivong dynamics control, an intervention in the driving operation may be carried out, so as to prevent the rollover of the vehicle.

3. Dependent Claims 2-3, 5, 7-8, 10-11 and 13 include no features which, in combination with the features of any claim, to which they refer, satisfy the requirements of the PCT with regard to novelty and inventive activity, because, in this form, they may already be inferred from the documents cited in the Search Report (see documents D1, D2 and D3, and the appropriate text locations given in the Search Report), or because they appear to one skilled in the art as being a normal part of his knowledge practiced according to standards, and to his capabilities customary in the field.

4. The features specified directly in dependent Claims 4 and 6, in their present version, cannot be inferred from any of the documents cited in the Search Report.